

Rep. Cuellar Supports Firearm Safety and Responsible Ownership
Promotes Background Checks and Interagency Cooperation to Protect the Public

Legislation

Rep. Cuellar Voted Yes on the *Bipartisan Safer Communities Act* {SIGNED INTO LAW}

- Supports state crisis intervention programs by making \$750 million available to states to ensure that deadly weapons are kept out of the hands of individuals who may pose a harm to themselves and others, clarifies the definition of a federally licensed firearms dealer to crack down on criminals who illegally evade licensing requirements, and protects victims of domestic violence by adding convicted domestic violence abusers to the National Instant Criminal Background Check System (NICS) while also maintaining a process for removal from NICS after 5 years after the completion of a sentence. The bill creates federal penalties for ‘straw purchasing’, provides additional funding to the FBI to administer new process checks in NICS, provides grants to help states upgrade criminal and mental health records, and bolsters the review process for buyers under 21 years of age, mandating that NICS will have up to 3 business days to conduct the initial search but no more than 10 business days to complete the investigation. The bill also provides \$250 million in funding for community-based violence prevention initiatives.
- Supports national expansion of the community behavioral health center model; improves access to mental health services for children, youth, and families through the Medicaid program and CHIP; increases access to mental health services for youth and families in crisis via telehealth; and provides major investments at the Department of Health and Human Services to programs that expand provider training in mental health, support suicide prevention, crisis and trauma intervention and recovery.
- Provides increased funding for schools to invest in programs to expand mental health and supportive services in schools, including: early identification and intervention programs, school-based mental health and wrap-around services, and improvements to school-wide learning conditions, while authorizing \$500 million to support school based mental health services staff and \$300 million in funding for school safety.

Rep. Cuellar Voted Yes on the *Protecting Our Kids Act* [PASSED HOUSE]

- Raises the lawful age to purchase a semiautomatic centerfire rifle from 18 to 21 years old
- Establishes a new federal offense for the import, sale, manufacture, transfer, or possession of a large capacity magazines, with exceptions for certain law enforcement uses and the possession (but not sale) of grandfathered magazines;
- Establishes new federal offenses for gun trafficking and straw purchasers and authorize seizure of the property and proceeds of the offense
- Establishes voluntary best practices for safe firearm storage; award grants for Safe Firearm Storage Assistance Programs; provide a tax incentive to dealers for 10% of amounts received from the sale of safe storage devices
- Establishes requirements to regulate the storage of firearms on residential premises; create criminal penalties for violation of the requirements
- Builds on ATF’s regulatory bump stock ban by listing bump stocks under the National Firearms Act (like machineguns) and statutorily banning the manufacture, sale, or possession of bump stocks for civilian use
- Build on ATF’s regulatory ban of ghost guns by ensuring that ghost guns are subject to existing federal firearm regulation by amending the definition of “firearm” to include gun kits and partial receivers and changing the definition of “manufacturing firearms” to include assembling firearms using 3D printing

Rep. Cuellar was the Lead Sponsor of the *Fix National Instant Criminal Background Check System (NICS) Act of 2017*. [SIGNED INTO LAW]

- Closes loopholes in information sharing between agencies to keep guns out of the hands of people who will harm themselves and others.
- Directs the Department of Justice (DOJ) to establish a state implementation plan, including benchmarks, to maximize the automation and submission of mental health and criminal history records to the NICS.
- Provides important technical assistance to federal agencies and states who are working to comply with NICS record-sharing requirements.

Rep. Cuellar Voted Yes on the *Bipartisan Background Check Act of 2021*. [PASSED HOUSE]

- Closes the “gun-show loophole” in federal gun background check laws.
- Requires any firearm transfer between unrelated, unlicensed individuals — such as participants at a gun show — to be conducted through a licensed dealer, who is required to perform the background check on the recipient.

Rep. Cuellar Voted Yes on the *Enhanced Background Checks Act of 2021*. [PASSED HOUSE]

- Closes the “Charleston loophole” in federal gun background check laws.
- Prevents gun sales from proceeding if a background check isn’t completed within three days, as allowed under current law.

Rep. Cuellar is an Original Cosponsor of the *Law Enforcement Training for Mental Health Crisis Response Act of 2021*.

- Provides grants to State, local, territorial, and tribal law enforcement agencies to obtain behavioral health crisis response training for law enforcement officers.
- Directs the Office of Justice Programs within the Department of Justice (DOJ) to award grants to law enforcement agencies for behavioral health crisis response training.

Rep. Cuellar Voted Yes on the *Federal Extreme Risk Protection Order Act of 2022*. [PASSED HOUSE]

- Establishes nationwide access to extreme risk protection orders through federal courts to ensure that those who pose a threat to themselves or others do not have access to firearms.
- Permits law enforcement officers, family, and household members of a person to file a petition requesting that a federal court issue an extreme risk protection order (ERPO) to prohibit an individual from purchasing or possessing a firearm.
- Individuals subject to this order must surrender their firearms and ammunition and are prohibited from purchasing or possessing firearms until the order expires.

Fiscal Year 2023 Appropriations Provisions

Rep. Cuellar Secured \$95,000,000 in funding for the National Instant Criminal Background Check System (NICS) Initiative.

- Funding for the Department of Justice (DOJ) to assist states in upgrading their criminal and mental health records within the NICS Program, furthering efforts to close loopholes and help law enforcement at the local, state, and federal level work together and prevent further mass shootings.

Rep. Cuellar Helped Secure \$135,000,000 in funding for the STOP School Violence Act Grant Program.

- Enhances security hardening measures, such as reporting systems for threats of school violence; locks, lighting, and other deterrent measures; and technology for expedited notification of local law enforcement during an emergency.

Rep. Cuellar Helped Secure \$1.75 billion for the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) to bolster efforts to prevent and respond to gun violence.